

BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

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| In the Matter of |) | |
| |) | |
| Status of Children's Television Programming |) | MM Docket No. 00-167 |
| To: The Commission | | |

REPLY COMMENTS OF DIC ENTERTAINMENT

DIC Entertainment ("DIC") hereby replies to certain of the comments filed in response to the *Public Notice* released by the Federal Communications Commission ("FCC" or "Commission") (DA-07-1716; released April 17, 2007) in the above-captioned proceeding. In the *Public Notice*, the FCC generally sought comment on the state of children's television programming and whether broadcasters are complying with their obligations under the Children's Television Act of 1990 ("CTA").

DIC's television series have appeared on virtually every broadcast network and cable channel that airs programming for kids and families. DIC has received prominent industry awards, including Emmy, Humanitas Prize iParenting , Golden Reel, Cable Ace, Genesis and Environmental Media Awards, for its television series, and has been the only company to be awarded both an Emmy and Cable Ace Award for best children's program in the same year.

In 2004, the DIC Educational Advisory Board was established to provide information, guidance, advice and general expertise in the development of multimedia programs and projects for children. It is comprised of leading media experts, educators and pediatricians affiliated with such institutions as Stanford University, Yale University, the Mayo Clinic and American

Academy of Pediatrics. The DIC Educational Advisory Board offers counsel on the developmentally appropriate physical, social, emotional and cognitive theories and practices related to children, and the role of various forms of media and products in the learning and development of children. The Board reviews the development of programs, provides information and counsel regarding any relevant research and practical input related to the ideas, concepts and characters associated with DIC's projects designed for children.

I. The Commission Should Not Modify Its License Renewal Processing Guideline to Require Broadcasters to Schedule E/I Programming on Weekdays

Under the Commission's license renewal processing guideline, Commission staff is authorized to approve the children's television portion of a television station's license renewal application where the station certifies that it has aired at least three hours per week of programming specifically designed to serve the educational and informational needs of children (so-called "core" programming).¹ The Coalition urges the Commission to modify this policy to require that stations broadcast "at least some" core programming on weekdays.²

The Coalition's proffered justification for this recommendation – that the majority of core programming is broadcast on weekends – is based on a false premise because it vastly underestimates the amount of educational and informational ("E/I") programming currently available. The survey that forms the basis of the Coalition's proposal focused only on "the amount of *core* programming" (emphasis added) that was reported on the FCC Form 398 Children's Television Programming Reports of network affiliates in six top-ten television markets.³ By narrowing the focus of their survey only to "core" programming broadcast by

¹ Note 2 to 47 C.F.R. §73.671.

² Comments of Children's Media Policy Coalition ("Coalition Comments") at 18.

³ Coalition Comments at 3.

network affiliates, the Coalition ignored E/I programs broadcast by network affiliates that do not, for some reason, satisfy one or more of the six core programming criteria, and the abundant alternative sources of weekday educational and informational programming that are readily available to parents and children. Many noncommercial broadcast stations that are affiliated with PBS, for example, broadcast a wide variety of E/I programs, some for up to 11 hours per day each weekday.⁴ And, as NAB explained, parents and children have a wide variety of options in today's media marketplace for obtaining access to quality children's programming – including a number of children's programming networks with educational content on cable, DBS and other multichannel video programming distributors.⁵ Increasingly, the Internet also is becoming an alternative platform for the distribution of high quality children's programming. Indeed, DIC intends to launch its own Internet-based cartoon channel, kewlcartoons.com, in the fall of 2007 which will provide parents and children with free access to many DIC E/I programs twenty-four hours a day, seven days per week.

The Coalition also fails to provide any evidence that requiring weekday commercial broadcasts of core E/I programming would actually reach more children than at present. Although the Coalition refers to studies to establish the average number of hours of television an average child watches per day, it is silent as to how children's weekday viewing habits compared to weekend viewing habits.⁶ Moreover, the Coalition does not provide any information regarding how many of the average hours a child watches television per day are spent watching core E/I programming as opposed to other programming. DIC submits that it would be short-

⁴ National Association of Broadcasters ("NAB Comments") at 8-9.

⁵ NAB Comments at 9-11.

⁶ Coalition Comments at 6.

sighted to entertain such a burdensome requirement without substantial evidence that its adoption would result in significant countervailing benefits.

II. The Commission Should Permit Greater Flexibility for Preemptions of “Regularly Scheduled” E/I Programming

The Commission’s *Public Notice* asks whether the current level of core programming preemption affects broadcasters’ compliance with the CTA or Congressional intent.⁷

Commercial broadcasters are afforded limited flexibility in their ability to preempt “regularly scheduled” core children’s programming. In general, a preempted program can only be counted if it was preempted for “breaking news” or if the preempted program was aired in a substitute time slot (or “second home”) with appropriate on-air notifications of the schedule change occurring at the time of preemption of the previously scheduled episode.

DIC believes that children could benefit if the Commission were to approve a limited expansion of broadcasters’ preemption authority to allow an occasional interruption of “regularly scheduled” E/I programming for E/I programming presented in an alternative format. For example, two consecutive half-hour E/I core programming episodes could be preempted for a one hour E/I program special on “going green” or the electoral process. Such an alternative E/I program could provide the opportunity to explore timely and important issues in an entertaining format, and could reach a significant audience if broadcast in a core programming timeslot. Allowing this limited expansion of preemption authority is likely to create a new market for such one-time-only educational programs. Moreover, an hour-long special focusing on “going green”, for example, that receives critical acclaim and high ratings could spur the development of a new “regularly scheduled” series on environmental issues. Providing enhanced flexibility in this regard will enable television producers to experiment with new types of E/I programming

⁷ *Public Notice* at 3

without having to invest the same amount of resources that an on-going series would require. DIC believes that children will ultimately benefit from even higher quality E/I programming if the Commission allows broadcasters expanded preemption authority to substitute one form of E/I programming for another.

III. A Standardized On-Screen E/I Symbol Could Deter Older Children from Watching E/I Programming; Any New Requirements Should Exempt Existing Programs

In 2004, the Commission required broadcasters to identify E/I programming with a continuous on-air E/I symbol.⁸ The Coalition complains that the styles and colors used for the E/I symbol varies by network, and that in some instances the E/I symbol is too transparent to read.⁹ In order to facilitate the identification of E/I programs, the Coalition argues that the Commission should adopt a standardized E/I symbol and require that it be clearly displayed on all shows.¹⁰

As a general matter, DIC questions the effectiveness of a standardized E/I symbol for programming directed to older children. Evidence suggests that an increasing number of children ages seven or eight or older have been given the freedom by their parents to make their own media choices – including on content.¹¹ Indeed, children of all ages often regard television as a leisure time activity, and older children are more likely to disregard a program they perceive as “trying to teach them a lesson.”¹² Moreover, “among older children, the more ‘academic’ a

⁸ *Children’s Television Obligation of Digital Television Broadcasters*, Report and Order and Further Notice of Proposed Rule Making, 19 FCC Rcd 22943 (2004).

⁹ Coalition Comments at 8.

¹⁰ *Id.* at 18.

¹¹ See Expert Statement of Donald F. Roberts, Ph.D., Thomas More Storke, Professor in Communications Emeritus, attached hereto as Exhibit A (“Roberts Expert Statement”) at 4.

¹² *Id.* at 5

program is perceived to be, the less likely they are to watch it when left to their own devices.”¹³

While a standardized symbol on E/I programming geared toward younger children might increase parental awareness, requiring a more prominently displayed symbol on programming geared toward older children may well have the opposite effect by creating a disincentive to watch identified educational content. Conversely, in programming geared toward children younger than seven, a broadcaster may decide to display the E/I symbol more prominently because parents are more actively involved in the viewing habits of their younger children and will be looking for that E/I symbol. For this reason, DIC believes that the manner of the display of the E/I symbol should be left to individual show creators and the relevant broadcaster so that they may choose the size, location and placement that will increase the probability that children will become regular viewers of their programming.

Regardless, if the Commission ultimately elects to mandate a standardized E/I symbol, DIC strongly urges the Commission to grandfather any existing programs already imbedded with an E/I symbols. The costs associated with reformatting all current and past E/I programming would be significant, and would likely either divert money away from providing quality children’s programming or result in significant amounts of quality E/I programming not being used in the future due to the costs of reformatting existing programming with the new E/I symbol.

IV. E/I Content Regulations are Unnecessary, Overly Intrusive and Could be Counterproductive

The Coalition complains that its survey of the FCC Form 398s of the network affiliates in six of the top-ten television markets reveals that the majority of the core programs it reviewed focus primarily on social-emotional messages, which it contends is evidence that the goals of the

¹³ *Id.*

CTA are not being met. As a consequence, the Coalition recommends the Commission modify the license renewal application processing guideline to require broadcasters to air some educational programming specifically designed to meet the cognitive-intellectual needs of children.¹⁴ DIC strongly opposes this recommendation, and urges the Commission to continue its long-standing policy of relying on the “good faith judgments” of broadcasts as to whether particular programming serves the educational and informational needs of children.¹⁵

In enacting the CTA, Congress did not intend for the FCC to make content decisions for broadcasters. Instead, Congress afforded each broadcaster “the greatest possible flexibility in how it discharges its public service obligation to children.”¹⁶ As Dr. Roberts explains, television is a story-driven medium, and children are particularly attracted to compelling narratives – that is stories with strong characters who overcome obstacles. When children learn from stories, they do so primarily as a result of observing the actions of the program’s characters and the consequences of the character’s actions.¹⁷ As Dr. Roberts concludes:

Elements of engaging stories with the necessary conflict to hold viewers’ attention and strong characters to whom children pay attention lend themselves much more effectively to promoting socio-emotional lessons than to cognitive/intellectual content. The strongest stories have always been those in which characters learn something about themselves; a bit of arithmetic or history may facilitate that learning, but the core “curriculum” of most good narrative is and always has been socio-emotional.¹⁸

¹⁴ Coalition Comments at 18.

¹⁵ NAB Comments at 13 (quoting 47 C.F.R. § 73.671, Note 1).

¹⁶ 136 Cong. Rec. S10121 (daily ed. July 19, 1990) (statement of Sen. Inouye).

¹⁷ Roberts Expert Statement at 3.

¹⁸ *Id.* at 3.

The process by which children learn from stories combined with the increasing tendency of parents to grant their children increasing freedom to make their own programming choices strongly indicates that mandating the provision of E/I programming based on a cognitive/intellectual curricula runs the risk of compromising the program's entertainment value, which is a key component of engaging and retaining a young audience.¹⁹ As Dr. Roberts concludes, "given the freedom to make their own media content choices (a situation that most U.S. children now enjoy), I believe young viewers are not likely to select academic content over strong story-driven content. I think that requiring more 'academic' content creates a palpable risk of reducing the likelihood of U.S. children's exposure to E/I content than is currently consumed."²⁰

The Coalition also argues that some E/I programs that focus on pro-social messages undermine that message by depicting what they describe as "anti-social" behavior. It is noteworthy that the Coalition fails to cite any scientific studies that demonstrate that the inclusion of a so-called "anti-social" message negates the effectiveness of E/I programming that impart pro-social messages. Indeed, Dr. Roberts, a recognized expert in the field of how children and adolescents respond to the media, is unaware of any such effect, particularly if the lesson is age-appropriate and clearly communicated.²¹ In fact, the presence of an anti-social message in a program focusing on pro-social messages may well be included as a further illustration of the pro-social message being imparted by the program.²² The "compare and contrast" lesson format is a tried and true method of teaching valuable lessons, and a necessary

¹⁹ *Id.* at 4-6.

²⁰ *Id.* at 5-6.

²¹ *Id.* at 6.

²² *Id.*

component of this format is to show the “wrong” behavior in order to demonstrate the desired pro-social behavior. In some cases, the depiction of “anti-social” behavior would be instrumental in conveying the program’s message. For example, in order to impart a pro-social lesson about the value of honesty, one must necessarily show the negative consequences of dishonesty.

V. The Criticism Leveled At Select DIC Programs Is Unwarranted and Inaccurate


The Coalition’s comments included cursory and simplistic discussions of several children’s E/I programs produced by DIC. Dr. Roberts, Stanford University’s Professor in Communications Emeritus, has been included in the creation of several of these programs as an outside, independent advisor. Dr. Roberts has provided a detailed rebuttal to the Coalition’s “critique,” and in doing so demonstrates that each of these programs contain pro-social educational and informational messages that are skillfully incorporated into the programs in a manner designed to appeal to their target audience on an entertainment level while providing quality E/I benefits.

VI. Conclusion

The CTA strikes a careful balance in promoting the laudable goal of increasing the availability of programming that serves the educational and information needs of children and affording broadcasters a considerable degree of flexibility in determining how best to meet those needs. That construct has served children well, as evidenced by the dramatic increase in the amount of E/I programming since the enactment of the CTA. The goals of the CTA have been met, and DIC takes considerable pride in the contribution its E/I programming has made in that endeavor. As a result, DIC strongly urges the Commission to refrain from imposing unnecessary or counterproductive new requirements. Nevertheless, DIC urges the Commission to allow a limited expansion of broadcasters' preemption authority to allow occasional interruption of regularly scheduled E/I programming for E/I programming presented in an alternative format.

Respectfully submitted,

DIC ENTERTAINMENT

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Exhibit A

**Expert Statement
of Donald F. Roberts, Ph.D.**

**Thomas More Storke Professor in Communication Emeritus
Stanford University**

**Expert Statement
of Donald F. Roberts, Ph.D.
Thomas More Storke Professor in Communication Emeritus
Stanford University**

This Statement is prepared in response to Comments filed by the Children's Media Policy Coalition ("Coalition" in the pending proceeding before the Federal Communications Commission ("FCC") examining the status of children's television programming and compliance with the Children's Television Act of 1990 ("CTA").

I received an A.B. from Columbia University (1961) and an M.A. from the University of California at Berkeley (1963). I earned a Ph.D. in communication at Stanford University in 1968, and subsequently became a member of its department faculty, serving as Director of the Institute for Communication Research from 1985-1990 and from 1999-2001. I chaired that department from 1990-1996. I am presently the Thomas More Storke Professor in Communication Emeritus, where I teach undergraduate and graduate courses on communication theory and research and on children, youth, and media. My primary area of research concerns how children and adolescents use and respond to media, a topic on which I have written extensively (e.g., chapters in *The Handbook of Communication*, *Learning from Television: Psychological and Education Research*, *The International Encyclopedia of Communications*, *The Handbook of Children and the Media*, and *The Handbook of Adolescent Psychology*). I also have written comprehensive reviews of the literature on the effects of mass communication for the *Annual Review of Psychology* and for the revised edition of the *Handbook of Social Psychology*, and co-authored a chapter on public opinion processes in the *Handbook of Communication Science*. I am co-editor of *The Process and Effects of Mass*

Communication, and co-author of *Television and Human Behavior*, *It's Not Only Rock and Roll: Popular Music in the Lives of Adolescents*, and *Kids on Media in America: Patterns of Use at the Millennium*.

I have consulted with a number of companies involved in producing children's media, and currently serve as Educational Director for DIC Entertainment ("DIC"). In that capacity, I assist in developing content that meets the FCC's requirements for educational programming for children. I also served on the board of advisors of MediaScope, a nonprofit organization founded to promote constructive depictions of social issues in film, television, music, and video games, and was a planner and panelist for Vice President Al Gore's Conference on Families and Media.

**Requiring Broadcasters to Provide
Programming Based on Cognitive-Intellectual Curricula**

The Coalition has suggested that the FCC require that a portion of broadcasters' educational and informational ("E/I") programming be based on cognitive-intellectual curricula (i.e., programming aimed at teaching basic academic skills and/or academic content similar to that found in traditional classrooms). This recommendation is based on the Coalition's conclusion that Congress' goals in enacting the CTA are not being met by available E/I programming.

I agree with the Coalition that the preponderance of E/I programming focuses on socio-emotional curricula (i.e., including a wide range of pro-social attitudes and behaviors ranging from controlling temper, to the importance of perseverance, to effective interpersonal relations, to protecting/preserving the environment, and so on). However, I view the substantial increase in programming promoting pro-social beliefs (a) as evidence that the CTA has been successful, (b) as a natural and logical consequence of

the narrative nature of television, and (c) as the most likely means to appeal to (or at least not discourage viewing by) a substantial segment of the young viewing audience – particularly those 7 years and older from the more resource-poor segment of the population – most of whom make their own viewing choices.

The ultimate goal of the CTA was to increase the amount of E/I programming available to children. In my view, the evidence provided by the Coalition clearly demonstrates that the CTA is having its desired effect. The amount of children’s programming designed to promote positive social attitudes and behaviors has increased substantially. Moreover, it was never intended that the FCC would make actual content decisions for broadcasters. Instead, broadcasters were to be given considerable flexibility in how they satisfy their public interest obligations to children.

Television is, fundamentally, a story-driven medium. Regardless of the age of the target audience, people are attracted to compelling narrative – stories with strong characters facing and overcoming obstacles of one sort or another. There is an extensive research literature showing that to the extent that children learn from stories, they learn primarily from observing the actions of characters and the consequences of those actions (i.e., they learn by watching television models learn) (Bandura, 1986). Elements of engaging stories with the necessary conflict to hold viewers’ attention and strong characters to whom children pay attention lend themselves much more effectively to promoting socio-emotional lessons than to cognitive/intellectual content. The strongest stories have always been those in which characters learn something about themselves; a bit of arithmetic or history may facilitate that learning, but the core “curriculum” of most good narrative is and always has been socio-emotional.

I detect an underlying premise in the Coalition's request to change the parameters of the CTA which I view as highly questionable. That premise is that much, if not most, of children's television viewing occurs under parental direction. That is, there seems to be an assumption that parents want more academic content for their children, and that when that content is available, parents will ensure that their children watch it. This strikes me as an invalid assumption, particularly when applied to children older than 7 or 8 years.

There is mounting evidence that from 7 or 8 years onward an increasingly large proportion of parents give their children the freedom to make their own media choices – including which medium to use (i.e. television vs. a videogame) and which content to select (i.e., educational or entertainment; cartoon or live action, etc.). For example, recent studies have found that about two thirds of 8 – 18-year-olds in the U.S. have a television set in their bedroom and that beyond the age of 8 years, 30 to 40% of television viewing time occurs absent parental presence [Roberts, Foehr, Rideout & Brodie, 1999; Roberts, 2000; Roberts & Foehr, 2004]. In the same vein, when household television viewing rules do exist, they are more likely to aim at restricting the amount or kind of viewing than to promote the viewing of particular kinds of content [Roberts, Foehr & Rideout, 2005; also see Comstock, 1991; Comstock, Chaffee, Katzman, McCombs & Roberts, 1978]. There is also evidence that a high proportion of children from the more disenfranchised segment of the population are particularly likely to direct their own media choices [Roberts & Foehr, 2004; Roberts, Foehr & Rideout, 2005; also see Comstock, 1991; Comstock & Scharrer, 1991; Medrich, 1979]. In other words, there is good reason to believe that once beyond the age of 7 or 8 years, a substantial portion of

children have been given the authority by their parents to make their own viewing choices.

If we combine the evidence indicating that children make their own viewing choices with examinations of ratings data, there is reason to believe the best strategy to reach the children most of concern with quality E/I programming is to continue to produce strong stories with strong characters facing fundamental socio-emotional problems. It also seems to me that ratings data over the years indicate that, among older children, the more “academic” a program is perceived to be, the less likely they are to watch it when left to their own devices. Children (and most adults) view television as an entertainment medium, a means to escape day-to-day cares and pressures. They seldom choose a program for its educational value. Rather, they are looking for content that will give them pleasure – that will entertain them. Once beyond 7 or 8 years, they certainly are not looking for another classroom. Therefore, it seems if we wish to reach young viewers with educational messages, it is imperative that we embed those messages in highly entertaining content.

Given the wide array of alternative entertainment choices available to today’s youth, I believe mandating an increase in more “cognitive” E/I content will result in driving young viewers away from broadcast offerings (and toward such media choices as non-FCC regulated program distribution outlets, videogames, computers, and so on). In other words, given the freedom to make their own media content choices (a situation that most U.S. children now enjoy), I believe young viewers are not likely to select academic content over strong story-driven content. I think that requiring more “academic” content

creates a palpable risk of reducing the likelihood of U.S. children's exposure to E/I content than is currently consumed.

Anti-Social Messages in E/I Programs

The Coalition points to "anti-social actions" appearing in some E/I programs and asserts that this reduces/negates the educational value of a show. I believe that such assertions are not relevant to the CTA. There are no provisions in the CTA regarding appropriate versus inappropriate content, let alone any attempt to define what such content might include. Broadcasters produce children's programs that conform to self-regulated standards that address the appropriateness of content. What is "appropriate," it seems to me, is always a subjective determination, differing from parent to parent, from family to family, and from program creator to program creator. Moreover, I know of no evidence that demonstrates that inclusion of content that one might deem "inappropriate" automatically or necessarily negates a lesson that might have been presented in the program, particularly if that lesson is age-appropriate and clearly communicated. For example, it is quite likely that a program attempting to portray the virtues of honesty might portray dishonest actions, and that such a portrayal might further the point of the lesson. I believe that E/I programming that remains within the boundaries of customary and accepted broadcast standards meets both the letter and spirit of the CTA.

Response to Assertion that Several DIC Shows Lack Any Educational Content

The Coalition presents descriptions and evaluations of 25 E/I shows broadcast in the Los Angeles area in the second quarter of 2007. Several of the shows considered are dismissed as having little or no educational value. Since several of the shows discussed are DIC productions on which I have consulted, I would like to respond to the off-hand dismissal of several of them as lacking educational content.

Trollz

The Coalition describes the second episode of *Trollz* (“Five Spells Trouble”). After a rather superficial description of some of the action that is portrayed in the episode, they conclude with a statement that “there were not any educational or socio-emotional issues in the episode.” I beg to differ.

As stated in the educational log-line provided to broadcasters by DIC, the socio-emotional issue examined in this episode is responsibility. A central dramatic device in the *Trollz* series consists of each of the central characters (five early adolescent Trollz girls) reaching an age when their gemstones begin to glow, giving them magic powers. One of the overarching themes of this series is that the young Trollz must learn how to use their new-found powers responsibly and, ideally, for the good of Trollz society. It also concerns how the powers of the group far exceed those of each of the five individual Trollz, thus the group must also learn to act responsibly *as a group*.

In this particular episode, the youngest troll exercises her new powers for the first time. Her first spell renders a young male troll bald, a consequence that serves to initiate a discussion about responsibility among the Trollz (occurring near the end of the first

act). Subsequently, when the five Trollz combine their powers for the first time in order to cast a second, irresponsible spell on yet another young male troll, the spell backfires and their target is turned to ice. The remainder of the episode follows the actions of the Trollz as they try to act responsibly and reverse the unexpected effects of their spell (to free him from the spell before he melts). During their efforts they meet a Trollz elder who reinforces the idea that with power comes responsibility (as well as introducing several themes that continue throughout the series – that the five young Trollz need to learn to act responsibly and in concert for the good of Trollz Society, and that it is important to seek/heed advice from responsible elders and authority figures). The lesson concerning responsibility is embedded in a semi-comic, highly fantastic (Trollz with big hair and magic powers) context, but the lesson still exists and even drives the actions of the five main characters. Even though no “teacher” steps forward to explicate precisely what young viewers should take from the episode, the issue of responsibility is introduced as an integral part of the dramatic dialogue in Act 1, is returned to both implicitly and explicitly in Act 2, and is reinforced in Act 3, when the five Trollz finally reverse the negative consequences of their initial irresponsible actions.

Sabrina, The Animated Series

The evidence submitted by the Coalition in their current analysis of E/I programming provides clear evidence that *Sabrina, The Animated Series* is, in fact, exemplary E/I programming. The particular episode of Sabrina analyzed is entitled “Scare Apparent.” It promotes the lesson that a good way to deal with one’s fears is to learn about them and directly confront them. The entire episode revolves around one

character (a very young “boogy man”) being frightened of almost everything. Sabrina tries teaching him that one of the best ways to deal with fears is to find out about them ... to face them. The show contains conversations about coping with fears and Boogie’s halting attempts to be brave, all embedded in a larger context of Boogie finally facing and examining his fears. The lesson is encapsulated in what becomes almost a mantra for the episode, repeated at several different points in the action: “Shine a light and banish fright.”

This episode serves as an excellent example of how E/I programming should be executed. Indeed, I have used this particular episode in several undergraduate classes as just such an example. Moreover, since I believe that the E/I components of this episode differs little from those of the other episodes in the series, I have sometimes pointed to *Sabrina, The Animated Series* as an excellent example of good E/I programming.

Dance Revolution

An explicit goal of *Dance Revolution* is to promote physical activity among young viewers. This goal was established in response to increasing concern among physicians and public health practitioners about obesity levels among U.S. children and adolescents, and the generally accepted premise that at least one of the factors implicated in obesity is lack of physical activity.

The device of teaching young dancers new, and highly active, dance steps was selected because dance is of high interest to most young adolescents. Viewers at home are encouraged to engage in the same maneuvers the on-screen dancers perform. In order to accomplish this, young dancers similar to the viewing audience (models), demonstrate

the dance steps. Additionally, a constant litany of encouragement is directed to the audience to prompt them to engage in the dancing. This encouragement is embedded in a barrage of information about the dancers, dance, and the physical and social benefits of dancing – all intended to encourage viewers to imitate what they see onscreen. Also, viewers are explicitly encouraged to “get off the couch” several times each episode. I believe that the ongoing activity of the models (dancers), the information on how to best participate that they give, and the frequent, explicit encouragement to “get up and dance” directed to the audience provides constant motivation for those at home to participate.

In short, many of the elements of this show represent explicit attempts to apply the principles of Social Learning Theory in order to encourage more physical activity in young viewers. Finally, it is worth noting that production of this series benefited greatly from on-going advice and information from a variety of health professionals involved in the adolescent obesity crisis.

Ace Lightning

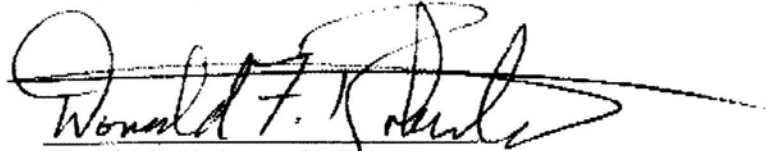
An explicit goal of *Ace Lightning* is to present messages relevant to children’s socio-emotional development in an action-adventure format to which 8-12 year-old children are particularly attracted. The main character, Ace, explores what it means to be a hero by demonstrating qualities such as honor, truthfulness, respect for others, responsibility, and caring for others.

This overall goal was pursued by identifying specific pro-social issues relevant to young people to serve as a central theme for each individual episode. Typical issues examined in series include responsibility, perseverance, jealousy, controlling fears,

thinking before acting, accepting differences, peer pressure, kindness, cooperation, the power of knowledge, achieving balance, controlling impulses, not underestimating parents, etc. Let me stress that these issues are not afterthoughts. They serve as important themes explored in the stories, sometimes serving as motivation for actions (e.g., fear of differences leads a character into trouble), sometimes emerging as actions around which the story revolves (e.g., an irresponsible act causes a disaster), but always as an important part of the story line. More often than not the “take-away message” related to each issue is explicitly articulated in the final scenes of the episode and in a coda in which the central character further explores the “lesson” in an e-mail to a friend. The pro-social content of *Ace Lightning* arguably addresses some of the more important issues in young people’s social development. Moreover, a good deal of effort was expended to make the lesson clear to young viewers while also meeting the requirements of compelling storytelling. Although the stories do not stop and say “Here is today’s lesson,” they do attempt to articulate the pro-social message clearly and explicitly near the climax of each episode.

In my opinion, a claim that *Ace Lightning* lacks “any significant educational purpose” simply has no basis in fact. A more comprehensive statement in defense of the validity of *Ace Lightning* as an E/I program has been submitted to the FCC in connection with FCC File No. BRCT-20040527AKL.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Donald F. Roberts", with a long horizontal flourish extending to the right.

Donald F. Roberts, Ph.D.
Professor Emeritus
Stanford University

September 28, 2007

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